

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: DOMESTIC DRYWALL
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

All Direct Purchaser Actions

**MDL No. 2437
13-MD-2437**

**ORDER GRANTING DIRECT PURCHASER
PLAINTIFFS' MOTION FOR (1) AN AWARD OF ATTORNEYS' FEES,
(2) REIMBURSEMENT OF LITIGATION EXPENSES, AND (3) SERVICE
AWARDS FOR THE CLASS REPRESENTATIVES**

WHEREAS, the Court has granted final approval to Direct Purchaser Plaintiffs' settlements with the following: USG Corporation, United States Gypsum Company and L&W Supply Corporation (collectively, "USG"), dated February 11, 2015; TIN Inc. ("TIN"), dated February 11, 2015; Lafarge North America Inc. ("Lafarge"), dated June 16, 2016; and American Gypsum Company LLC, Eagle Materials Inc., New NGS, Inc., and PABCO Building Products, LLC dated December 29, 2017 (collectively, the "Combined Settlements");

WHEREAS, Direct Purchaser Plaintiffs filed a Motion for (1) An Award of Attorneys' Fees; (2) Reimbursement of Litigation Expenses; and (3) Service Awards for the Class Representatives (the "Motion"),

IT IS HEREBY ORDERED:

1. The Motion is GRANTED.
2. Terms used in this Order that are defined in the Motion are, unless otherwise defined herein, used in this Order as defined in the Motion.

3. The Court finds that the Notice provided to the four settlement classes of Co-Lead Class Counsel's request for an award of attorneys' fees, reimbursement of litigation expenses, and service awards for the Class Representatives meets the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process, was the best notice practicable under the circumstances, and constitutes due and sufficient notice to all persons entitled thereto.

4. Direct Purchaser Plaintiffs' Counsel ("Class Counsel") are hereby awarded 33.33% of the Combined Settlement Fund, which amount currently equals \$63,353.019.00.

5. Class Counsel are also hereby awarded the funds that have been or will be deposited in the Opt-Out Fee and Expense Accounts created by the Settlement Agreements, which currently equals \$610,236.00.

6. Class Counsel are hereby awarded litigation expenses in the amount of \$2,925,629.00 to be paid from the Combined Settlement Fund.

7. The awards of attorney fees and expenses shall be allocated among Class Counsel by Co-Lead Class Counsel, Berger & Montague, P.C., Cohen Milstein Sellers & Toll PLLC and Spector Roseman & Kodroff, P.C. in a manner that, in Co-Lead Class Counsel's good-faith judgment, reflects Class Counsel's contributions of time and money to the institution, prosecution and resolution of the litigation.

8. At the request and suggestion of Co-Lead Class Counsel, each of the four named plaintiffs, Sierra Drywall Systems, Inc., Janicki Drywall, Inc., New Deal Lumber & Millwork Co., and Grubb Lumber Co, Inc., is awarded a service award in the amount of \$50,000.00, in addition to any distributions as part of the Combined Settlement Fund to which it may be

entitled, to compensate it for the time and efforts in leading this case for the benefit of all Direct Purchaser Plaintiff Class Members.

SO ORDERED.

Dated: July 17, 2018

/s/ Michael M. Baylson

Michael M. Baylson, U.S.D.J.